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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,105	01/17/2002	Kenji Hatada	360842007400	1303

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EXAMINER	
KRUER, KEVIN R	
ART UNIT	PAPER NUMBER
1773	6

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

WTA-6

## Office Action Summary

Application No.

09/787,105

Applicant(s)

HATADA, KENJI

Examiner

Kevin R Krueer

Art Unit

1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-22 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***El ction/R striction***

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-11 and 22, drawn to a multilayer film comprising a base material, a polymer resin layer, and a metal deposited layer and/or metal oxide layer deposited layer, wherein said polymer resin layer comprises a polymer produced by polymerization of an unsaturated compound having two or more ethylenic bonds and/or acetylenic bonds in one molecule and having neither an acrylic group or a methacrylic group, said polymer comprising at least 80wt% of said polymer resin layer.

Group II, claim(s) 12-21, drawn to a method of forming a laminate comprising a polymer resin layer, a base material, and a deposited metal layer and/or a metal oxide layer, wherein said polymer resin layer comprises a polymer produced by polymerization of an unsaturated compound having two or more ethylenic bonds and/or acetylenic bonds in one molecule and having neither an acrylic group or a methacrylic group, said polymer comprising at least 80wt% of said polymer resin layer.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: According to PCT Rule 13.2, the expression "special technical features" means those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art. Each claim of the current invention is drawn to a multilayer film comprising a base material, a polymer resin layer, and a metal deposited layer and/or metal oxide layer deposited layer, wherein said polymer resin layer comprises a polymer produced by polymerization of an unsaturated compound having two or more

Art Unit: 1773

ethylenic bonds and/or acetylenic bonds in one molecule and having neither an acrylic group or a methacrylic group, said polymer comprising at least 80wt% of said polymer resin layer. However, the claims lack a "special technical feature" because the above-described laminate does not make a contribution over the prior art.

Specifically, US 5,089,347 ("Hart") and US 4,740,412 ("Hocker") each individually teach the special technical feature. Hart teaches a substrate, an adherent layer applied to said substrate that comprises a homopolymers and/or copolymer of styrene, and a metallized film applied to said adherent film (abstract). Hocker teaches a multilayered sheet comprising an acetylene layer (abstract). The polyacetylene layer may be applied to a substrate (col 4, line 30). The polyacetylene can then be metallized via sputtering (col 3, lines 45+).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin R Kruer whose telephone number is 703-305-0025. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Thibodeau can be reached on 703-308-2367. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-5408 for regular communications and 703-305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

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Paul Thibodeau  
Supervisory Patent Examiner  
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